UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,027	09/11/2003	Susann Marie Keohane	AUS920030427US1	5814

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Mr. Volel Emile
P.O. Box 202170
Austin, TX 78720-2170

EXAMINER
JONES, ANDREA N

ART UNIT	PAPER NUMBER
2193	

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/660,027	KEOHANE ET AL.
	Examiner	Art Unit	
	Andrea N. Jones	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *09/11/2003*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 11 is objected to because of the following informalities: Claim 11 recites

"computer program product of claim 11", a claim cannot depend upon itself.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1, 5, 8, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated

by Bott et al (Special Edition Using Microsoft Windows 98, 2nd Edition, 2000).

As to claim 1, Bott discloses a method of facilitating an icon ("file type or folders"

page 208, 1st paragraph under Changing the icon for a file type or other object)

selection from a plurality of icons (page 113, 1st paragraph) on a desktop (page 113, 2nd

to last line). Bott teaches enabling a user to enter a file extension ("file type" page 113,

last sentence of 1st paragraph), the file extension being an extension of a file being

represented by the icon to be selected extension (page 113, last sentence of 1st

paragraph); comparing the entered file extension with file extensions of all files

represented by an icon on the desktop (page 114, paragraph above Fig. 7.6, 1st

sentence); and grouping all icons that represent files having the same file extension as

the entered file extension at a location on the desktop ("Find Dialog box" page 114

paragraph above Fig. 7.6, last sentence and Fig. 7.6).

As to claim 5, Bott teaches wherein folders containing files and/or icons

representing files with the entered extension are grouped at the location of the desktop

(page 114, last paragraph and page 115, 1st paragraph).

As to claim 8, Bott teaches a computer program product (Windows 98 software,

cover page) on a computer readable medium for facilitating an icon ("file type or folders"

page 208, 1st paragraph under Changing the icon for a file type or other object)

selection from a plurality of icons (page 113, 1st paragraph) on a desktop (page 113, 2nd

to last line) comprising: code means for enabling a user to enter a file extension ("file

type" page 113, last sentence of 1st paragraph), the file extension being an extension of

a file being represented by the icon to be selected (page 113, last sentence of 1st

paragraph); code means for comparing the entered file extension with file extensions of

all files represented by an icon on the desktop (page 114, paragraph above Fig. 7.6, 1st

sentence); and code means for grouping all icons that represent files having the same

file extension as the entered file extension at a location on the desktop (("Find Dialog

box" page 114 paragraph above Fig. 7.6, last sentence and Fig. 7.6).

As to claim 12, Bott teaches a computer program product of claim 8 wherein

folders containing files and/or icons representing files with the entered extension are

grouped at the location on the desktop (page 114, last paragraph and page 115, 1st

paragraph).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2-4, 6, 7, 9-11, 13-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bott et al in view of Grossman et al (U.S. Patent No. 5,564,004).

       As to claim 2, note the discussion above, Bott teaches a method as in claim 1.

Bott does not teach wherein the location is a location close to a device with which the

icon may be selected. Grossman teaches wherein the location is a location close to a

device with which the icon may be selected (column 5 line 1-5). Therefore, as to claim

2, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to have the location close to a device with which the icon may be selected as

taught by Grossman with the system of Bott. The motivation for combining teachings of

Grossman with Bott is expressed by Grossman (column 1 lines 35-44), which he

discusses moving through the many icons located on a display and selecting a

particular icon can be tedious for ordinary users. Grossman also states that there is a

need to for users to easily locate and select a particular icon. Further, Grossman states

it is quite difficult for those users with manual dexterity problems to navigate through a

complex task and the many icons to select the intended function (column 1, lines 35-

44).

       As to claim 3, Grossman teaches a method wherein the device is a pointing

device (column 4, lines 34-38).

As to claim 4, Grossman teaches a method wherein the pointing device is a mouse pointer (column 4, lines 34-38).

As to claim 6, note the discussion above. Bott teaches a method as in claim 5. Bott does not teach wherein the location is a location close to a device with which the folder may be selected. Grossman teaches wherein the location is a location close to a device with which the folders may be selected (column 5 line 1-5). Therefore, as to claim 6, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the location close to a device with which the icon may be selected as taught by Grossman with the system of Bott. The motivation for combining teachings of Grossman with Bott is expressed by Grossman (column 1 lines 35-44), which he discusses moving through the many icons located on a display and selecting a particular icon can be tedious for ordinary users. Grossman also states that there is a need to for users to easily locate and select a particular icon. Further, Grossman states it is quite difficult for those users with manual dexterity problems to navigate through a complex task and the many icons to select the intended function (column1, line 35-44).

As to claim 7, Grossman teaches a method wherein the pointing device is a mouse pointer (column 4, lines 34-38).

As to claim 9, note the discussion above. Bott teaches a computer program product as in claim 8. Bott does not teach wherein the location is a location close to a device with which the icon may be selected. Grossman teaches wherein the location is a location close to a device with which the icon may be selected (column 5 line 1-5). Therefore, as to claim 9, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to have the location close to a device with which the

icon may be selected as taught by Grossman with the system of Bott. The motivation

for combining teachings of Grossman with Bott is expressed by Grossman (column 1

lines 35-44), which he discusses moving through the many icons located on a display

and selecting a particular icon can be tedious for ordinary users. Grossman also states

that there is a need to for users to easily locate and select a particular icon. Further,

Grossman states it is quite difficult for those users with manual dexterity problems to

navigate through a complex task and the many icons to select the intended function

(column 1, line 35-44).

As to claim 10, Grossman teaches a computer program product wherein the

device is a pointing device (column 4, lines 34-38).

As to claim 11, Grossman teaches a computer program product wherein the

pointing device is a mouse pointer (column 4, lines 34-38).

As to claim 13, note the discussion above, Bott teaches a computer program

product as in claim 12. Bott does not teach wherein the location is a location close to a

device with which the folder may be selected. Grossman teaches a computer program

product wherein the location is a location close to a device with which the folders may

be selected (column 5 line 1-5). Therefore, as to claim 13, it would have been obvious

to one of ordinary skill in the art at the time the invention was made to have the location

close to a device with which the icon may be selected as taught by Grossman with the

system of Bott. The motivation for combining teachings of Grossman with Bott is

expressed by Grossman (column 1 lines 35-44), which he discusses moving through

the many icons located on a display and selecting a particular icon can be tedious for

ordinary users. Grossman also states that there is a need to for users to easily locate

and select a particular icon. Further, Grossman states it is quite difficult for those users

with manual dexterity problems to navigate through a complex task and the many icons

to select the intended function (column 1, lines 35-44).

As to claim 14, Grossman teaches a computer program product wherein the

pointing device is a mouse pointer (column 4, lines 34-38).

As to claim 15, Bott teaches a system for facilitating an icon ("file type or folders"

page 208, 1st paragraph under Changing the icon for a file type or other object)

selection from a plurality of icons (page 113, 1st paragraph) on a desktop (page 113, 2nd

to last line) wherein the file extension ("file type" page 113, last sentence of 1st

paragraph) being an extension of a file being represented by the icon to be selected

(page 113, last sentence of 1st paragraph); comparing the entered file extension with file

extensions of all files represented by an icon on the desktop (page 114, paragraph

above Fig. 7.6, 1st sentence); and grouping all icons that represent files having the

same file extension as the entered file extension at a location on the desktop (page 114

and Figure 7.6). Bott does not teach the system comprising at least one storage device

for storing code data and at least one processor for processing the code data to enable

the user to enter a file extension. Grossman teaches at least one storage device for

storing code data ("memory" column 4, lines 62-67 and column 5, lines 62-65); and a

least one processor for processing the code data ("instruction execution", column4, lines

51-56) to enable the user to enter a file extension (column 4, lines 51-61). Therefore, as

to claim 15, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to have a storage device to store code data and a processor for

processing the code date taught by Grossman with the system of Bott. The motivation

for combining the teachings of Grossman with Bott is expressed by Grossman stating

that combining a central processing unit and memory provides for high speed

processing of data by a CPU (column 4, lines 55-58).

As to claim 16, Grossman teaches a system wherein the location is a location

close to a device with which the icon may be selected (column 5 line 1-5).

As to claim 17, Grossman teaches a system wherein the device is a pointing

device (column 4, lines 34-38).

As to claim 18, Grossman teaches a system wherein the pointing device is a

mouse pointer (column 4, lines 34-38).

As to claim 19, Bott teaches wherein folders containing files and/or icons

representing files with the entered extension are grouped at the location of the desktop

(page 114 and 115).

As to claim 20, Grossman teaches a system wherein the location is a location

close to a device with which the folder may be selected (column 5 line 1-5).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Plumey (Sams Teach Yourself Windows 35 in 10 Minutes, 1998)

teaches on searching for files or folders by file extension. Martins et al (U.S. Patent No.

5,649,205) teaches how to retrieves from a disk storage system based on the files

specification, which could be a file's extension.

Inquiries

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrea N. Jones whose telephone number is 571-270-

1055. The examiner can normally be reached on Mon - Thurs 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chanh Nguyen can be reached on 571-272-7772. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea N. Jones
05/22/2006

CHANH NGUYEN
PRIMARY EXAMINER